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TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

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**Proposed Rule**  
LSA Document #14-235

DIGEST

Amends [345 IAC 1-3-1.5](#) to define what species of fish must be tested for viral hemorrhagic septicemia (VHS) and which regions are considered at-risk or affected. Adds [345 IAC 1-3-31.5](#) to require VHS susceptible species of live fish moved into the state to obtain a permit and, if the fish are from VHS-affected or at-risk regions, to have tested negative for the VHS virus using appropriate standards and methods. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[345 IAC 1-3-1.5](#); [345 IAC 1-3-31.5](#)

SECTION 1. [345 IAC 1-3-1.5](#), AS AMENDED AT [20140917-IR-345140057FRA](#), SECTION 15, IS AMENDED TO READ AS FOLLOWS:

**[345 IAC 1-3-1.5 Definitions](#)**

**Authority:** [IC 15-17-3-21](#)

**Affected:** [IC 15-17](#)

Sec. 1.5. The definitions in [IC 15-17-2](#) and the following definitions apply throughout this rule:

- (1) "Animal identification number" or "AIN" means a numbering system for the official identification of individual animals in the United States that provides a nationally unique identification number for each animal. The AIN consists of fifteen (15) digits, with the first three (3) being the country code (840 for the United States or a unique country code for a U.S. territory that has such a code and elects to use it in place of the 840 code). The AIN beginning with the 840 prefix may not be applied to animals known to have been born outside the United States.
- (2) "Approved livestock facility" means a stockyard, livestock market, buying station, concentration point, or any other premises licensed or approved by the board.
- (3) "Approved official health certificate" or "approved certificate of veterinary inspection" means an official certificate of veterinary inspection endorsed or approved by the chief livestock health official of the state of origin.
- (4) "Approved slaughtering establishment" means any slaughtering facility where domestic animals are slaughtered and processed for human consumption under any of the following:
  - (A) The federal Meat Inspection Act (21 U.S.C. 601 et seq.).
  - (B) The federal Poultry Products Inspection Act (21 U.S.C. 451 et seq.).
  - (C) The Indiana Meat and Poultry Inspection Act ([IC 15-17-5](#)).
- (5) "Approved tagging site" means a premises authorized by the United States Department of Agriculture or the state veterinarian where livestock may be officially identified on behalf of their owner or the person in possession, care, or control of the animals when they are brought to the premises.
- (6) "Approved vaccine" means a vaccine that is:
  - (A) approved by the board for use in Indiana; and
  - (B) manufactured under license granted by the Veterinary Biologics Division, United States Department of Agriculture.
- (7) "Aquaculture" has the meaning set forth at [IC 15-11-7-1](#).
- (8) "Baby calves" means calves of all breeds that are:
  - (A) without dams; and
  - (B) under two hundred (200) pounds in weight.
- (9) "Board" means the Indiana state board of animal health created under [IC 15-17](#).
- (10) "Breeding swine" means a sexually intact swine that is at least six (6) months of age and is not moving in slaughter channels.
- (11) "Catch and release fishing activities" means fishing for pleasure or recreational purposes, including tournaments, organized fishing competitions, fishing derbies, or other types of contests where individuals catch, sort, and release live fish into the same waterbody where caught, except any fish used or intended to be used as live bait.**
- ~~(11)~~ **(12) "Certificate of veterinary inspection", "CVI", "official health certificate", or "health certificate" means a**

form that meets the requirements for a certificate of veterinary inspection in [345 IAC 1-1.5](#).

~~(12)~~ **(13)** "Cervid" or "cervidae" means all members of the cervidae family, such as the following:

- (A) Deer.
- (B) Elk.
- (C) Moose.
- (D) Caribou.
- (E) Reindeer.
- (F) Related species and hybrids thereof.

~~(13)~~ **(14)** "Chronic wasting disease" or "CWD" means a transmissible spongiform encephalopathy of cervids.

~~(14)~~ **(15)** "Class A", "Class B", or "Class C" state or zone means the state or zone is designated or classified by the United States Department of Agriculture as a brucellosis "A", brucellosis "B", or brucellosis "C" area.

~~(15)~~ **(16)** "Commuter herd" means a herd of cattle or bison moved interstate during the course of normal livestock management operations and without change of ownership directly between two (2) premises, as provided in a commuter herd agreement.

~~(16)~~ **(17)** "Commuter herd agreement" means a written agreement between the owner or owners of a herd of cattle or bison and the animal health officials in the states of origin and destination specifying the conditions required for the interstate movement from one (1) premises to another in the course of normal livestock management operations and specifying the time period, up to one (1) year, that the agreement is effective. A commuter herd agreement may be renewed annually.

~~(17)~~ **(18)** "Dairy cattle" means all cattle, regardless of age or sex or current use, that are of a breed or breeds used to produce milk or other dairy products for human consumption, including, but not limited to, the following:

- (A) Ayrshire.
- (B) Brown Swiss.
- (C) Holstein.
- (D) Jersey.
- (E) Guernsey.
- (F) Milking Shorthorn.
- (G) Red and Whites.

~~(18)~~ **(19)** "Directly" means moved in a means of conveyance, without stopping to unload while en route, except for stops of less than twenty-four (24) hours to feed, water, or rest the animals being moved, and with no commingling of animals at such stops.

~~(19)~~ **(20)** "Domestic animal" has the meaning set forth in [IC 15-17-2-26](#).

~~(20)~~ **(21)** "Equine infectious anemia" or "EIA" means the infectious disease equine infectious anemia caused by a lentivirus, equine infectious anemia virus (EIAV).

~~(21)~~ **(22)** "Equine infectious anemia test" means the official test for the detection of EIA as defined in [345 IAC 6-1.1](#).

~~(22)~~ **(23)** "Exhibition" means a fair, show, or competition of limited duration that congregates animals from multiple sources on a premises.

~~(23)~~ **(24)** "Feeder pigs" means swine under six (6) months of age that are not slaughter swine.

~~(24)~~ **(25)** "Flock-based number system" means a combination of a flock identification number (FIN) with a producer's unique livestock production numbering system to provide a nationally unique identification number for an animal.

~~(25)~~ **(26)** "Flock identification number" or "FIN" means a nationally unique number assigned by a state or federal animal health authority to a group of animals that are managed as a unit on one (1) or more premises and are under the same ownership.

~~(26)~~ **(27)** "Game birds" means domesticated fowl such as:

- (A) pheasants;
- (B) partridge;
- (C) quail;
- (D) grouse; and
- (E) guineas;

but not doves and pigeons.

~~(27)~~ **(28)** "Group/lot identification number" or "GIN" means the identification number used to uniquely identify a "unit of animals" of the same species that is managed together as one (1) group throughout the preharvest production chain. When a GIN is used, it is recorded on documents accompanying the animals moving interstate. It is not necessary to have the GIN attached to each animal.

~~(28)~~ **(29)** "Hatchery" means hatchery equipment on one (1) premises operated or controlled by any person, company, or corporation for the hatching of poultry.

~~(29)~~ **(30)** "Hatching eggs" means eggs of poultry for hatching purposes, including embryonated eggs.

~~(30)~~ **(31)** "Immediate slaughter" means livestock that are designated for slaughter must be slaughtered within

seven (7) days of first consignment.

~~(31)~~ **(32)** "Johne's disease" means an infectious communicable disease that primarily affects:

- (A) cattle;
- (B) sheep;
- (C) goats; and
- (D) other domestic, exotic, and wild ruminants;

also known as paratuberculosis, caused by *Mycobacterium paratuberculosis*.

~~(32)~~ **(33)** "Location-based number system" means a combination of a state issued LID or a PIN with a producer's unique livestock production numbering system to provide a nationally unique and herd-unique identification number for an animal.

~~(33)~~ **(34)** "Location identification number or "LID" means a nationally unique number issued by a state animal health authority to a location as determined by the state in which it is issued. The LID number may be used in conjunction with a producer's own unique livestock production numbering system to provide a nationally unique and herd-unique identification number for an animal. It may also be used as a component of a group/lot identification number (GIN).

~~(34)~~ **(35)** "National Poultry Improvement Plan" or "NPPI" means the National Poultry Improvement Plan and Auxiliary Provisions adopted by the board in [345 IAC 4-4-1](#).

~~(35)~~ **(36)** "National Uniform Eartagging System" or "NUES" means a numbering system for the official identification of individual animals in the United States that provides a nationally unique identification number for each animal.

~~(36)~~ **(37)** "Official eartag" means an identification tag approved by the state veterinarian that bears an official identification number for individual animals. All official eartags applied to animals must bear the official eartag shield. The official eartag must be tamper resistant and have a high retention rate in the animal.

~~(37)~~ **(38)** "Official eartag shield" means the shield-shaped graphic of the U.S. Route Shield with "U.S." or the state postal abbreviation or Tribal alpha code imprinted within the shield.

~~(38)~~ **(39)** "Official identification number" means a nationally unique number that is permanently associated with an animal or group of animals and that adheres to one (1) of the following systems:

- (A) National Uniform Eartagging System (NUES).
- (B) Animal identification number (AIN).
- (C) Location-based number system.
- (D) Flock-based number system.
- (E) Any other numbering system approved by the state veterinarian for the official identification of animals.

~~(39)~~ **(40)** "Officially identified" means identified by a means of an official identification device or method approved by the state veterinarian under [345 IAC 1-2.6](#).

~~(40)~~ **(41)** "Official test" means a disease detection test approved by the state veterinarian conducted in a laboratory approved by the state veterinarian.

~~(41)~~ **(42)** "Owner-shipper statement" means a statement signed by the owner or shipper of the livestock being moved that contains the following information:

- (A) The location from which the animals are moved.
- (B) The destination of the animals.
- (C) The number of animals covered by the statement.
- (D) The species of animals covered.
- (E) The name and address of the owner at the time of the movement.
- (F) The name and address of the shipper.
- (G) The identification of each animal, unless a rule adopted by the board specifically provides that the identification does not have to be recorded.

~~(42)~~ **(43)** "Permit" means a permit for importation of domestic animals issued by the state veterinarian.

~~(43)~~ **(44)** "Poultry" means domesticated fowl, including the following:

- (A) Chickens.
- (B) Turkeys.
- (C) Ostriches.
- (D) Emus.
- (E) Rheas.
- (F) Cassowaries.
- (G) Waterfowl.
- (H) Game birds.

The term does not include doves and pigeons.

~~(44)~~ **(45)** "Premises identification number" or "PIN" means a nationally unique number assigned by the state veterinarian to a livestock production unit that is, in the judgment of the state veterinarian, a geographically distinct location from other premises.

~~(45)~~ **(46)** "Quarantine" means a law or an order restricting or prohibiting the movement of animals:

(A) onto or off of a premises; or

(B) into or out of an area.

~~(46)~~ **(47)** "State veterinarian" means the state veterinarian appointed under [IC 15-17-4](#) or an authorized agent.

**(48)** "VHS" means viral hemorrhagic septicemia.

**(49)** "VHS-affected or at-risk region" means a state, province or other region designated by the state veterinarian as affected or at-risk for VHS based upon current data related to the prevalence of the pathogen in the region.

**(50)** "VHS susceptible species of live fish" means those species designated by the state veterinarian that are known to be carriers of the VHS pathogen and that present a significant risk to the aquatic resources of the state.

~~(47)~~ **(51)** "Waterfowl" means domesticated fowl that normally swim, such as ducks and geese.

*(Indiana State Board of Animal Health; [345 IAC 1-3-1.5](#); filed Jan 8, 1986, 2:52 p.m.: 9 IR 990; filed Dec 2, 1994, 3:52 p.m.: 18 IR 855; filed Oct 11, 1996, 2:00 p.m.: 20 IR 738; errata filed Jan 2, 1997, 4:00 p.m.: 20 IR 1124; filed Jan 6, 1999, 4:22 p.m.: 22 IR 1477; errata filed Mar 31, 1999, 9:36 a.m.: 22 IR 2534; filed Jan 4, 2001, 1:59 p.m.: 24 IR 1334; readopted filed May 2, 2001, 1:45 p.m.: 24 IR 2895; filed Sep 29, 2006, 8:56 a.m.: [20061025-IR-345050315FRA](#); readopted filed Feb 9, 2007, 9:42 a.m.: [20070307-IR-345060512RFA](#); errata filed Oct 3, 2008, 3:30 p.m.: [20081022-IR-345080767ACA](#); readopted filed Aug 7, 2013, 8:32 a.m.: [20130904-IR-345130236RFA](#); filed Aug 22, 2014, 4:04 p.m.: [20140917-IR-345140057FRA](#))*

SECTION 2. [345 IAC 1-3-31.5](#) IS ADDED TO READ AS FOLLOWS:

**[345 IAC 1-3-31.5](#) Movement of fish into Indiana**

Authority: [IC 15-17-3-21](#)

Affected: [IC 15-17-3-11](#); [IC 15-17-3-13](#)

**Sec. 31.5. (a)** Except as provided in subsection (b), a person responsible for moving VHS-susceptible species of live fish into the state must ensure that the following requirements are met:

(1) A permit must be obtained from the state veterinarian. A copy of the permit, or a CVI bearing the permit number, must be in possession of the person in charge of the fish during movement.

(2) VHS-susceptible species of live fish moved into the state from a VHS-affected or at-risk region must be transported with documentation from the appropriate state, tribal, or federal authority for aquatic animal health stating that the fish are from a group of fish or facility certified as having tested negative for the VHS virus according to either of the following standards:

(A) United States Fish and Wildlife Service, Animal Fisheries Society-Fish Health Section (USFWS/AFS-FHS) Standard Procedures for Aquatic Animal Health Inspections section of the Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens 2012 Edition, American Fisheries Society, Fish Health Section, Bethesda, Maryland (commonly referred to as the AFS Blue Book).

(B) World Health Organization for Animal Health (OIE) Manual of Diagnostic Tests for Aquatic Animals, Seventh Edition (2012), Chapter 2.3.9, and the Aquatic Code, Sixteenth Edition (2013), Chapter 10.9, OIE, Paris, France.

**(b)** VHS-susceptible species of live fish that are transported directly to a:

(1) slaughter facility to be processed for human consumption; or

(2) research and diagnostic laboratory;

are not required to be tested as required in subsection (a) if appropriate waste water discharge controls are in place at the receiving facility to prevent the possible spread of disease.

**(c)** The following types of movements of VHS-susceptible species of live fish are exempt from the permit and testing requirements in subsection (a):

(1) The fish are the subject of catch and release fishing activities.

(2) The fish are being transported directly through the state en route to another state.

(3) The state veterinarian has approved the movement to occur without a permit or VHS testing in order to facilitate disease control.

**(d)** A person moving VHS-susceptible species of fish into the state under the requirements of this section must keep a copy of the movement documents for at least two (2) years.

**(e) The state veterinarian may deny a permit required under subsection (a) when a determination is made that the transport of the fish would present a significant risk to the health of the aquatic resources of the state.**

*(Indiana State Board of Animal Health; [345 IAC 1-3-31.5](#))*

[Notice of Public Hearing](#)

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